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AUTHORITY: 30 U.S.C. 957, 961.

SOURCE: Schedule 25B, 25 FR 6473, July 9, 1960, unless otherwise noted.

Subpart A—General Provisions

§ 33.1 Purpose.

The regulations in this part set forth the requirements for dust collectors used in connection with rock drilling in coal mines to procure their certification as permissible for use in coal mines; procedures for applying for such certification; and fees.

§ 33.2 Definitions.

As used in this part:

(a) *Permissible*, as applied to a dust collector, means that it conforms to the requirements of this part, and that a certificate of approval to that effect has been issued.

(b) *Bureau* means the United States Bureau of Mines.

(c) *Certificate of approval* means a formal document issued by MSHA stating that the dust collector unit or combination unit has met the requirements of this part, and authorizing the use and attachment of an official approval plate or a marking so indicating.

(d) *Certificate of performance* means a formal document issued by MSHA stating that a dust-collecting system has met the test requirements of Subpart C

of this part and therefore is suitable for use as part of permissible units.

(e) *Dust-collector unit* means a complete assembly of parts comprising apparatus for collecting the dust that results from drilling in rock in coal mines, and is independent of the drilling equipment.

(f) *Combination unit* means a rock-drilling device with an integral dust-collecting system, or mining equipment with an integral rock-drilling device and dust-collecting system.

(g) *Dust-collecting system* means an assembly of parts comprising apparatus for collecting the dust that results from drilling in rock and is dependent upon attachment to other equipment for its operation.

(h) *Applicant* means an individual, partnership, company, corporation, association, or other organization that designs and manufactures, assembles or controls the assembly of a dust-collecting system, dust-collector unit, or a combination unit, and seeks certification thereof.

(i) *MSHA* means the United States Department of Labor, Mine Safety and Health Administration.

[Sched. 25B, 25 FR 6473, July 9, 1960, as amended at 39 FR 24005, June 28, 1974; 43 FR 12317, Mar. 24, 1978]

§ 33.3 Consultation.

By appointment, applicants or their representatives may visit Approval and Certification Center, Box 201B Industrial Park Road, Dallas Pike, Triadelphia, W. Va. 26059, and discuss with qualified Bureau representative proposed designs of equipment to be submitted in accordance with the requirements of the regulations of this part. No charge is made for such consultation and no written report thereof will be submitted to the applicant.

[Sched. 25B, 25 FR 6473, July 9, 1960, as amended at 43 FR 12317, Mar. 24, 1978]

§ 33.4 Types of dust collectors for which certificates of approval may be granted.

(a) Certificates of approval will be granted only for completely assembled dust-collector or combination units; parts or subassemblies will not be approved.

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(b) The following types of equipment may be approved: Dust-collector or combination units having components designed specifically to prevent dissemination of airborne dust generated by drilling into coal-mine rock strata in concentrations in excess of those hereinafter stated in § 33.33 as allowable, and to confine or control the collected dust in such manner that it may be removed or disposed of without dissemination into the mine atmosphere in quantities that would create unhygienic conditions.

§ 33.5 [Reserved]

§ 33.6 Applications.

(a) No investigation or testing will be undertaken by MSHA except pursuant to a written application, in duplicate (except as otherwise provided in paragraph (e) of this section), accompanied by a check, bank draft, or money order, payable to the U.S. Mine Safety and Health Administration, to cover the fees; and all prescribed drawings, specifications, and all related materials. The application and all related matters and all correspondence concerning it shall be sent to the Approval and Certification Center, Box 201 B, Industrial Park Road, Dallas Pike, Triadelphia, W. Va. 26059.

(b) The application shall specify the operating conditions (see § 33.22) for which certification is requested.

(c) Shipment of the equipment to be tested shall be deferred until MSHA has notified the applicant that the application will be accepted. Shipping instructions will be issued by MSHA and shipping charges shall be prepaid by the applicant. Upon completion of the investigation and notification thereof to the applicant by MSHA, the applicant shall remove his equipment promptly from the test site (see § 33.30).

(d) Drawings and specifications shall be adequate in number and detail to identify fully the design of the unit or system and to disclose its materials and detailed dimensions of all component parts. Drawings must be numbered and dated to insure accurate identification and reference to records, and must show the latest revision. Specifications and drawings, including a complete assembly drawing with each

part that affects dust collection identified thereon, shall include:

(1) Details of all dust-collector parts. A manufacturer who supplies the applicant with component parts or sub-assemblies may submit drawings and specifications of such parts or sub-assemblies direct to MSHA instead of to the applicant. If the unit or system is certified, MSHA will supply the applicant with a list, in duplicate, of drawing numbers pertaining to such parts or subassemblies for identification purposes only.

(2) Details of the electrical parts of units designed to operate as face equipment (see § 33.38) in accordance with the provisions of Part 18 of Subchapter D of this chapter. (Bureau of Mines Schedule 2, revised, the current revision of which is Schedule 2F).

(3) Storage capacity of the various stages of dust collection in the dust separator.

(4) Net filter area in the dust separator, and complete specifications of the filtering material.

(e) If an application is made for certification of a dust-collector unit or a combination unit that includes electrical parts, and is designed to operate as electric face equipment, as defined in § 33.38, the application shall be in triplicate.

(f) The application shall state that the unit or system is completely developed and of the design and materials which the applicant believes to be suitable for a finished marketable product.

(g) The applicant shall furnish a complete unit or system for inspection and testing. Spare parts, such as gaskets and other expendable components subject to wear in normal operation, shall be supplied by the applicant to permit continuous operation during test periods. If special tools are necessary to disassemble any part for inspection or test, they shall be furnished by the applicant.

(h) Each unit or system shall be carefully inspected before it is shipped from the place of manufacture or assembly and the results of the inspection shall be recorded on a factory-inspection form. The applicant shall furnish MSHA with a copy of the factory-inspection form with his application. The form shall direct attention to the